

PATENT
Docket No. 030900 / CP.0021.US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
James A. McClain
Serial No.: 10/782,215
Filing Date: February 19, 2004

METHOD OF PRODUCING
RESISTANT STARCH

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pittsburgh, Pennsylvania 15222-2312
September 2, 2008

Mail Stop: Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants, in accordance with the duty of disclosure pursuant to 37 C.F.R. § 1.56, hereby advise the United States Patent and Trademark Office ("USPTO") of the references listed on the accompanying form PTO/SB/08A Information Disclosure Statement. Copies of all non-US Patent and non-patent literature documents cited therein are enclosed.

Applicants believe the Information Disclosure Statement fully complies with the disclosure requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, inasmuch as under the revised rule 37 C.F.R. § 1.98 there is no requirement for Applicants to explain the relevance of the references cited in an Information Disclosure Statement unless those references are not in the English language. The relevance of any foreign language reference, if any, is indicated in the English Abstract or the PCT Written Opinion of the International Searching Authority, enclosed.

Applicants note that although the cited references may be relevant to the examination of the above-referenced application, under 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)."

Applicants further note that the filing of this Information Disclosure Statement is not an admission that the references cited herein constitute prior art under 35 U.S.C. §§ 102-103 with respect to the captioned application. Applicants reserve the right to establish the scope of the invention, as defined by the claims, the patentability of the claimed invention over any of the information provided herein, and/or to provide that this information may not be prior art, and/or to prove that the information may not be enabling for the teachings purportedly offered.

Pursuant to 37 C.F.R. § 1.97(c), Applicants submit herewith the fee as set forth in 37 C.F.R. § 1.17(p) necessary for consideration of this Information Disclosure Statement. The Commissioner is authorized to charge any additionally required fees deemed necessary for consideration of this Information Disclosure Statement to Account No. 11-1110.

Respectfully submitted,

September 2, 2008
Date

Sean M. Conrad
Sean M. Conrad
Patent Agent
Registration No. 61,532

K&L GATES LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, Pennsylvania 15222-2312
Telephone: (412) 355-6218
Facsimile: (412) 355-6501

Customer No. 41,835